

NEWSLETTER
Aqualink
A PUBLICATION OF THE WATER SERVICES REGULATORY BOARD

A photograph of three young children at a public water pump. One child is smiling and looking at the camera while another child drinks from the pump's spout. A third child is also drinking. The pump is a simple metal structure with a horizontal spout. The children are wearing simple clothing, and the ground is wet with water from the pump.

**7TH & FINAL ANNUAL
DEVOLUTION CONFERENCE
HELD IN MAKUENI**

**WASREB CONDUCTS LICENCE &
TARRIF PUBLIC CONSULTATIONS**

**FEATURE: ROAD SAFETY
AWARENESS**

**REGULATORY ACTS: WASREB
DISSEMINATES KEY GUIDELINES**



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We have continued to grow stronger in operations despite the challenges posed by the COVID-19 Pandemic. We have embraced the 'new normal' in our operations and hope for a better year ahead.

WASREB was able to carry out 10 Public Consultation Meetings on licensing and three public consultation meetings on Tariff adjustments for Water Service Providers across the Country. Stakeholders turned up to give their views on the services offered by their utilities. The meetings were however held in strict adherence to Ministry of Health COVID 19 prevention protocols.

To strengthen County Engagement, Governance and enforcement of various guidelines, WASREB held workshops that brought together representatives from over 30 Counties and the Water Service Providers that operate under them. Key issues on tenets of water and sanitation service provision in rural areas and good governance were thrashed out.

In the Feature's section, we bring the story of WASREB's Corporate Social Responsibility activities in planting trees in Chemususu, Mumberes and Njabini to protect water towers. Staff also participated in road safety campaigns. The Regulator went out of its way to donate tree seedlings, sponsor Eldama Ravine Half Marathon for refurbishment of social amenities in Baringo County. This is our way of giving back to the community.

Aqualink Newsletter will inspire you to look at the water sector in better light as there is a lot of positive information to learn.

Cheers!

Terry





Joseph K. Keter 'ndc' K,

Ag. Chief Executive Officer

As we continue to strengthen the regulatory framework for the water service, this year saw a number of key guidelines developed and operationalised, despite the challenges posed by the global COVID 19 pandemic.

As disease outbreaks are not likely to disappear in the near future, proactive international actions are required to not only save lives but also protect economic prosperity. WASREB in conjunction with partners held workshops for over 30 Counties for development of post COVID-19 financial recovery plans (FRPs). The data driven process is required to ensure WSPs prioritize areas mostly affected by the pandemic, to catalyse a financial turnaround.

Development of the Water Governance Training Handbook was a major milestone for WASREB. The Training Handbook is

meant to standardise the training given to oversight bodies namely Boards of Directors of Water Service Providers and Counties. This will increase understanding of good governance and will hopefully reduce conflict and misinterpretation of the law as far as governance of WSPs is concerned.

Other key guidelines disseminated during the period included Guideline on Provision of Water Services in the Rural and Underserved Areas, a tool that is helping the Regulator report on water service coverage nationally, considering that current commercialised utilities cover only about 50% of the national population. Also disseminated were the Non-Revenue Management Standards which are geared towards helping WSPs manage the water losses hence improving on their financial sustainability.

As we look to the future, our interest is on the licencing of all WSPs operating in the country. Over 60 utilities have so far been licensed laying a foundation for well managed entities/services with serious commitment and responsibility for consumer/customer satisfaction. Licences for another 13 WSPs are currently under consideration.

As we look to the future, our interest is on the licencing of all WSPs operating in the country.

Finally, all this could not have been realised without close collaboration between WASREB, the Counties, Water Works Development Agencies, Water Service Providers, the Council of Governors and Development Partners. To all of them a big thank you!

WASREB remains committed to enforcing high performance in the sector which cannot happen without support from all our stakeholders.

TOP PERFORMERS OF IMPACT 13 REPORT RECOGNIZED



Clockwise: Ruiru Juja, Nakuru, Eldoret and Naivasha, Malindi, Nyeri and Meru teams turned up to receive their awards

Top performers of IMPACT 13 2021 Report were specially recognized by WASREB when they were given trophies for their sterling performance. The brief ceremonies coincided with the start of the WARIS data collection exercise across four main centres in the country.

Winners from Tana, Central Rift, North Rift and Athi regions were awarded by WASREB on 18th October, 2021 in Nanyuki, Eldoret and Naivasha concurrently. Those from Tana, Central Rift, North Rift, Athi, Coast, Northern and Tanathi regions were awarded on 29th October, 2021 in Eldoret and Machakos concurrently. The events had been rescheduled from June due to the prevalent COVID 19 pandemic disruptions. Utilities awarded were Nyeri, Meru, Rukanga, Nakuru, Naivasha, Eldoret, Ruiru Juja, Isiolo, Malindi, Kisumu and Tachasis. Nyeri was awarded the Top Overall Utility Position 1, Nakuru- Position 2 and Meru-Position 3. Other WSPs shone in various categories. Congratulations to all the winners!

Meanwhile, WARIS data validation exercise kicked off in earnest after the award ceremonies. Teams from Water Service Providers were required to show evidence of information provided by WASREB. This is in preparation of IMPACT 14 Report.



THE 7TH AND FINAL ANNUAL DEVOLUTION CONFERENCE HELD IN MAKUENI COUNTY



Former Prime Minister Hon. Raila Odinga (middle) led panelists to answer questions from the delegates. Others in the panel from left: Senate Speaker Kenneth Lusaka, Interior and Co-ordination of National Government CS Dr. Fred Matiang'i, Embu Governor H.E Martin Wambora and Devolution CS Charles Keter.

The Seventh and Final Annual Devolution Conference on Multi-Level Governance for Climate Change took place from 23-26th November, 2021, at Makueni Boys' High School-Makueni County. This followed postponements due to the prevailing COVID-19 pandemic.

The high level event, was all about Climate Change and how to mitigate its effects. Global warming is causing long-lasting changes to our climate system and threatens lives and livelihoods around the world. Worth noting is that the world is still off track from keeping global warming within the 1.5 degrees Celsius limit set by the scientific community.

Consequently, the Council of Governors brought on board policymakers and county leaders at the 7th and final Devolution

Conference to deliberate on the effects of climate change and the interventions needed to curb this crisis. The sub-theme 'Sub-National mobilisation in unlocking the full potential of climate action during and after the pandemic,' was proposed to guide the two levels of government in combating climate change. The conference served as an avenue for all players to support communities to prepare, mitigate and respond to the effects of climate.

The conference was officially opened virtually by H.E President Uhuru Kenyatta. During his opening statement, he lauded implementation of devolution and stated that of all the development programmes and initiatives implemented since independence none have had a more impactful and transformative result than Devolution. He

EVENTS

confirmed the government's resolve to play its part in the international community's effort to address climate change including preventing global temperatures rising above 1.5 degrees Celcius. Several plenary sessions were held to get the conference to chart the way forward in climate action.

The conference brought together more than 3,000 delegates comprising of the citizenry, Governors and Deputy Governors, Senators,

Cabinet Secretaries, Members of Parliament and County Assemblies, Private Sector, Media, Development Partners, Civil Society Organisations, among others.

Meanwhile, WASREB staff and Board members participated in the conference as delegates and at the exhibition where staff engaged members of the public and distributed IEC materials and publications.



Above: Dignitaries discuss facets of climate change and how to tackle it.

Mid and Below: WASREB staff were at hand to handle inquires, complaints and disseminate IEC materials to the visitors. Politicians and County Chiefs were among the visitors to the booth.

WASREB HOLDS 10 PUBLIC CONSULTATION MEETINGS ON LICENCE

WASREB conducted a series of public consultation meetings for licensing of various Water Service Providers across the country. Categorized as per the period when the public consultations were done between July and December, these were; Gatundu, Samburu, Imetha, Iten Tambach, Tatu City, Chemususu, Kericho, Tetu Aberdare, Busia and Migori.

Various stakeholders, staff, management teams of the WSPs, local government officials and county chiefs attended the meetings where various issues and topical concerns were addressed substantively. Some of the main issues addressed were:

- 1) Performance of the WSPs including governance issues, which they wanted WASREB to clarify
- 2) Possibility of splitting of a WSP like Kericho to allow for Litein residents manage their own company
- 3) Water shortage
- 4) Poor sewerage services
- 5) Political interference
- 6) Importance/why the licensing process is necessary, among others.

Stakeholders at the end of the meetings resolved and agreed that WASREB should license their various WSPs in order for them to continue with the service delivery.

The meetings were held in strict adherence to Ministry of Health Guidelines on combating the prevailing COVID-19 pandemic.



Despite the COVID-19 pandemic, stakeholders turned up in public participation meetings to air their views. WASREB handled the issues amicably.

CONSUMERS AIR THEIR VIEWS IN TARIFF PUBLIC CONSULTATIONS MEETINGS



WASREB has the regulatory mandate to determine and review water and sanitation tariffs in Kenya, with the overarching goal of consumer protection. The regulator acts as a referee to offer confidence to all stakeholders of clear, transparent and stable rules in the process.



The revenue from tariffs seeks to ensure adequate and efficient resource allocation of funds with an overall goal of attaining 100% access to water for all Kenyans. Justified tariffs are those where each component cost has been analyzed and confirmed as prudent and necessary for the sustainability of all stakeholders and accompanying revenue allocated through a pricing mechanism. The complete process is subject to public participation with the aim to inform and seek buy-in with consumers.



In this regard, WASREB in conjunction with utilities held three public consultation meetings on tariff adjustment of Kakamega, Kisumu and Kericho before the year ended. Stakeholders participated by giving their views on tariff adjustment. The events moderated by WASREB, were attended by a cross section of stakeholders. They resolved that WASREB should approve the proposed changes in the WSP's tariffs.



From top clockwise: Kakamega Governor H.E Wycliffe Oparanya gives his views during Kakamega WSP tariff meeting. Kisumu and Kericho meetings were well attended. All WSPs applications were successful.

WASREB RUNS A SUSTAINED MEDIA CAMPAIGN

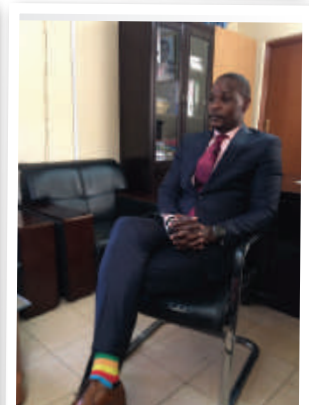


WASREB sought authentic information from Water Service Providers, County Chiefs and Consumers in Nakuru, Nyeri and Uasin Gishu Counties on the state of water and sanitation services in their regions.

Consumer sensitization is one of WASREB's key mandate, reporting to the public on progress made in the sector. An informed consumer is able to participate in the affairs of water service provision as well as, make decisions on what kind of services they want to be given to them.

In this regard, WASREB carried out a one month media campaign through CITIZEN Television and KTN HOME in November. Five informercials and one Documentary were run. Messages were on Importance of the Licence in Regulation, Water Pricing (Justified Tariffs), Consumer rights and responsibilities, Curbing Non-Revenue Water and National and County Governments collaboration.

Going forward, we will endeavor to educate and inform our stakeholders through various platforms to ensure they are well informed and empowered. Be on the look out as we roll out Media Campaign Phase 2'!



WASREB ENGAGES COUNTIES ON GOVERNANCE



namely; Water Resource Authority, Water Sector Trust Fund, Kenya Water Institute, Water Works Development Agencies, Water Service Providers, Development partners WASHFIN Kenya, UNICEF, World Bank, Education institutions, Strathmore Business Hub, University of Nairobi among others.

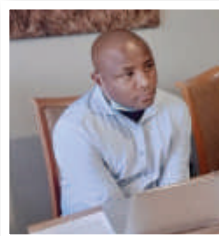
During the conference highlights of the Water Governance Training Handbook (a first of its kind) were shared. The Training Handbook is geared to streamline governance issues across the water sector in Kenya.

County Engagement took a new form, with WASREB using face to face, round table, courtesy calls and workshops to reach out to Counties on the question of good governance, as it is pertinent to high performance of the water utilities they represent.

County engagement in eight (8) Counties namely: Trans-Nzoia, Machakos, Kajiado, Makueni, Elgeyo Marakwet, Nakuru, Kiambu and Homabay were done. WASREB made use of partnerships to execute these engagements. They were done as below;

WASREB engaged County Executive Committee Members (CECMs) and Management staff of Nzoia WSP in Kisumu, held a joint Board of Directors' induction for Nol Turesh and Oololaiser WSPs in Naivasha, organized another two-day workshop mainly focusing on Corporate Governance Guideline where CECMs from Machakos, Kajiado and Makueni Counties were in attendance.

In the month of November, WASREB in conjunction with UNICEF Kenya held a three day workshop in Naivasha on water governance, for County governments and WSPs Management teams that operate under them. They were from Nairobi, Nakuru and Homabay. Similarly, WASREB in conjunction with Kenya Markets Trust organized a two-day conference on the National Water Governance Conversation in Naivasha mid-November. Various sector institutions represented included County Governments- (Elgeyo Marakwet, Nakuru, Kiambu), other government Agencies



The various teams engaged in the workshops concurred that a turn around for the WSPs was an imperative.

WASREB DISSEMINATES KEY GUIDELINES



Guideline on Provision of Water for Rural and Underserved Areas in Kenya

This guideline for Provision of Water for Rural and Underserved Areas was developed with the aim of: Ensuring that water service standards are adhered to in terms of quality, cost and customer service in order to to guarantee health and safety of consumers, regularizing rural water service in order to streamline, professionalize and formalize operations. It also meant to enable the County Governments to operationalize section 94 of the Water Act 2016 that requires the devolved governments to focus on areas that are not commercially viable under the guiding principle of leaving no one behind.

In this regard, WASREB in conjunction with Kenya Markets Trust (KMT) held meetings with Laikipia and Embu County governments officials and Water Service Providers serving the areas, to discuss ways of streamlining rural water services in Embu.

A similar workshop for WSPs and County Chiefs under Tanathi and Coast regions took place in Mombasa in October.

Non Revenue Water Standards

Current levels of Non Revenue Water according to IMPACT 13 2021 report stands at 47%. In financial terms at the current average of NRW at 47% and the sector turnover of Kshs. 22.8 Billion, against an acceptable sector benchmark of 20%, then conservatively, the sector is losing slightly more than Kshs. 11.61 Billion. This not only threatens the financial sustainability of the sector but also wastes funds, which could otherwise be used to increase access and improve service delivery. This is a worrying trend that must be curbed.

The above fore-goings pushed WASREB in conjunction with Kenya Markets Trust to hold a workshops which brought together 16 WSPs from Easter region in Machakos and 15 WSPs from Western region in Kisumu respectively. The topic was NRW performance Review Workshop- Post IMPACT 13 Release, to reflect on the status of Non Revenue Water management by the WSPs. Issues deliberated on included;

a) Incorporating in the license condition a requirement for a strategy to deal with NRW

including having the requisite structure and staff

b) Revision of the NRW management standards to incorporate the lessons learnt in the last six years of implementation

c) Having NRW as a key component in assessing the potential of a utility to turn around

Corporate Governance Guideline

The objective of the Corporate Governance Guideline is to improve how water service institutions especially water service providers are led and managed, enhance the understanding of apt governance, clarifying autonomy and oversight and the structures and systems that are needed to have economical and efficient provision of water services.

Water Service Providers are required to adhere to the guideline in the entire process

of Board selection. In line with this, Nithi Water and Sanitation Company held a stakeholders consultation meeting to appoint members of the Selection Committee in preparation for an Annual General Meeting that was upcoming. Speakers who included WASREB, Water Resources Authority, Tana WWDA, Dep. County Commissioner, Chief Officer- Water Tharaka Nithi County attended the meeting held in Chuka.

Elsewhere, Embe Water and Sanitation Company held a stakeholders consultation meeting in Siakago, to appoint members of the Selection Committee in preparation for an upcoming Annual General Meeting. Speakers who included WASREB, Water Resource Authority, Tana WWDA, Chief Officer-Embu County, shed light on tenets of good governance, improvement on performance, importance of public participation among others.



Good Corporate governance results in efficient, sustainable water institutions - WASREB asserts.

COVID 19 EFFECTS ON WSPs



C OVID-19 is not only a global pandemic and public health crisis; it has also severely affected the global economy and financial markets. Significant reductions in income, a rise in unemployment, and disruptions in the transportation, service, and manufacturing industries are among the consequences of the disease mitigation measures that have been implemented in many countries. It has become clear that most governments in the world underestimated the risks of rapid COVID-19 spread and were mostly reactive in their crisis response. As disease outbreaks are not likely to disappear in the near future, proactive international actions are required to not only save lives but also protect economic prosperity.

Equally, the water sector was not left behind. This necessitated workshops to review the impact of the pandemic on operations of the WSPs.

A Joint Sector Review workshop took place mid July at the Kenya School of Monetary Studies, Ruaraka to collate views from participants on lessons learnt while looking at challenges faced. The meeting jointly organized by WASREB and UNICEF brought together Utilities from Nakuru, Nairobi, Homabay and Naivasha Counties among others participants.

Elsewhere, WASREB in conjunction with WASHFIN held workshop in Naivasha for development of post COVID-19 financial recovery plans (FRPs). Participants included Managing Directors, Technical and Finance Managers from of utilities drawn from over eight Counties. They included; Eldoret, Thika, Ruiru Juja, Garissa among others.

Another workshop was organized in Naivasha for utilities drawn from close to 15 Counties. They included; Nakuru, Kisumu, Embu,

Nairobi, Kiambu, Murang'a, Nyeri among others. The data driven process is required to ensure WSPs prioritize areas mostly affected by the pandemic, to catalyse a financial turnaround.

In another development, WASREB in conjunction with UNICEF Kenya, held a workshop to analyse bottlenecks that hinder utilities from achieving their goals during the COVID 19 pandemic. The workshop held in Naivasha, brought together MDs, Senior Management teams from five (5) WSPs, Nairobi, Naivasha, Nakuru Rural , Nakuru Urban and Homabay. Athi, Coast and L.Victoria South WWDAs were present, including CECMs, Chief Officers and Directors from Nairobi, Homabay and Nakuru counties.



TREE PLANTING IN CHEMUSUSU, MUMBERES AND NJABINI WATER TOWERS

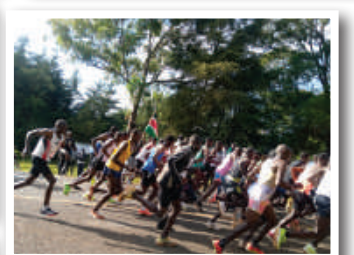


Residents of Chemususu, Poror and Metipso in Baringo County turned up in large numbers to join WASREB fraternity to plant indigenous trees at Chemususu catchment area on 29th October, 2021. WASREB donated 2,500 seedlings. The team also moved to Mumberes Primary School in Eldama Ravine to give the pupils motivational talks and plant trees.

The next day, WASREB staff took part in the Eldama Ravine Half Marathon. The Regulator sponsored the venture with Kshs. 500,000. Proceeds from the marathon went to develop social economic ventures for the benefit of the activities. WASREB mounted an exhibition where staff engaged members of the public and distributed IEC materials and publications.

Meanwhile, WASREB fraternity joined Njabini residents in Nyandarua County to plant and grow trees at the Sasumua Dam catchment area on 30th October. The exercise was part of activities to mark freedom fighter Dedan Kimathi's 101 birthday. The campaign targeted to plant 10 million trees in water towers to boost forest cover by 10%. WASREB donated 2,500 seedlings.

The Regulator is committed in bettering the lives of communities through Corporate Social Responsibility activities.



From top clockwise, Tree planting in Chemususu, Mumberes, Njabini and the Eldama Ravine Marathon.

ROAD SAFETY AWARENESS CAMPAIGN



Elsewhere. WASREB staff held a series of activities to create awareness on Road Safety in liaison with the National Transport and Safety Authority (NTSA). The activities included posting safety messages on Social Media platforms regularly and joining the rest of the World in marking the World Day of Remembrance of crash victims in November. The team took a minute of silence and lit candles in honor of the victims.

As every year, the objectives of World Day of Remembrance are to provide a platform for road traffic victims and their families to:

- Remember all people killed and seriously injured on the roads;
- Acknowledge the crucial work of the emergency services;
- Draw attention to the generally trivial legal response to culpable road deaths and injuries
- Advocate for better support for road traffic victims and victim families;

Remembering the departed by observing a minute of silence and lighting candles

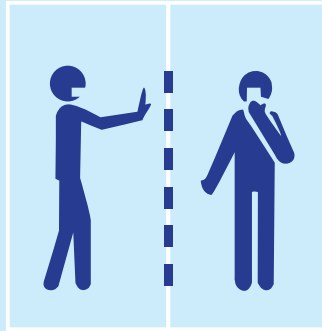
- Promote evidence-based actions to prevent and eventually stop further road traffic deaths and injuries.

WDoR 2021 put the spotlight on the reduction of traffic speeds – Low speeds, which have the potential to prevent many deaths and serious injuries, in particular those of pedestrians and all other vulnerable road users – children, elderly and the disabled.

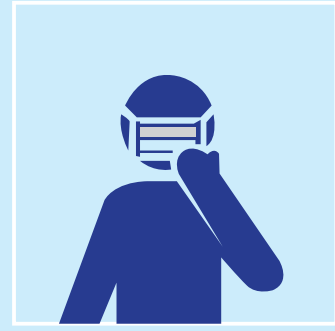
WASREB Supports the Fight Against COVID-19 Pandemic



Stay home if unwell



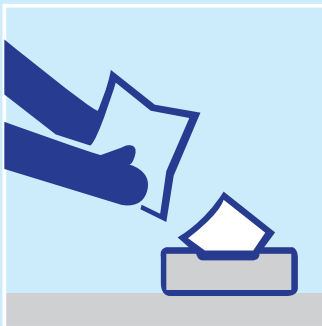
Keep social distance of 1.5m



Wear a mask in public



Wash hands with soap



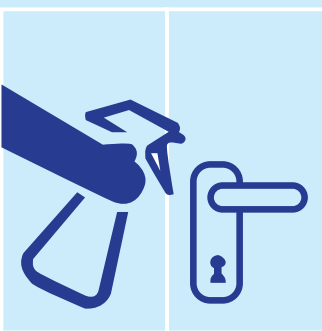
Use wipes after washing hands



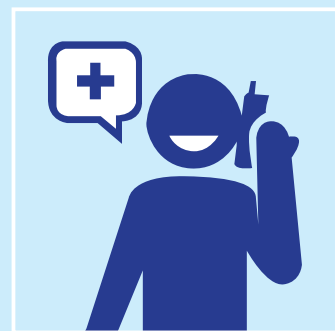
Cover your face when coughing



Do not touch your face with unwashed Hands



Disinfect surfaces



See a doctor when symptoms occur



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